

### **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of September 9, 2004 is respectfully requested.

In order to make necessary editorial corrections, the entire specification and abstract have been reviewed and revised. As the revisions are quite extensive, the amendments to the specification and abstract have been incorporated into the attached substitute specification and abstract. For the Examiner's benefit, a marked-up copy of the specification indicating the changes made thereto is also enclosed. No new matter has been added by the revisions. Entry of the substitute specification is thus respectfully requested.

The Examiner is requested to note that a certified copy of the priority document is being submitted herewith. As a result, the Examiner is also respectfully requested to acknowledge that the Applicant's claim for priority has been perfected.

The Examiner has rejected claims 1-3 under 35 USC § 102(e) as being anticipated by the Tajima reference (USP 6,573,705). In this regard, however, the Examiner is requested to note that a Preliminary Amendment was filed with the application on September 10, 2003, and the Preliminary Amendment added new dependent claim 4. Nonetheless, claims 1-4 have now been cancelled and replaced with new claims 5-22, including new independent claims 5, 12, and 19. For the reasons discussed below, it is respectfully submitted that the new claims are clearly patentable over the prior art of record.

The present invention is directed to a seal with integrated sealing and rotation measuring capabilities. In particular, the seal includes an encoder and a sensor for measuring rotation, and further includes a first slinger, a seal ring, and a second slinger arranged so as to adequately protect the encoder and the sensor. In order to achieve this protection, each of the independent claims recites that the *first slinger is secured to the second slinger*. In particular, new independent claim 5 recites that the cylindrical portion of the first slinger is secured to the cylindrical portion of the second slinger, new independent claim 12 recites that the cylindrical portion of the second slinger is secured to the cylindrical portion of the first slinger, and new independent claim 19 recites that the tip of the

cylindrical portion of the second slinger is secured to the tip of the cylindrical portion of the first slinger.

The Tajima reference discloses a rotating speed sensor unit and wheel bearing assembly including a rotary member 6 having a rotating inner member 8 and an inner ring 9, and a stationary member 1 having a stationary knuckle 5, a stationary outer member 2, and a stationary annular sensor 21. As illustrated in Figure 2, a metal ring 27 is secured to the inner ring 9 of the rotary member 6, an encoder 26 is attached to the metal ring 27, and a slinger 37 is arranged on an outer surface of an outer ring 36 of a constant velocity joint.

In the Office Action, the Examiner asserted that the slinger 37 of the Tajima reference corresponds to the first slinger of the present invention, while the metal ring 27 corresponds to the second slinger of the present invention. However, as clearly illustrated in Figure 2, the metal ring (second slinger) 27 is not secured to the slinger 37. More specifically, the Tajima reference does not disclose or even suggest any portion of a first slinger that is secured to any portion of a second slinger. Therefore, it is respectfully submitted that the Tajima reference does not anticipate or even suggest the invention recited in new claims 5-22. Accordingly, it is respectfully submitted that new claims 5-22 are clearly patentable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

Shinzaburo ICHIMAN

By: 

W. Douglas Hahm

Registration No. 44,142

Attorney for Applicant

WDH/gtg  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
January 10, 2005